



Planning Panels Victoria

Department of Transport and Planning

1 Spring Street
Melbourne Victoria 3000
GPO Box 2392
Melbourne, Victoria 3001
Telephone (03) 5381 9457

16 July 2024

Dear Submitter

Yarra Planning Scheme Amendment C273yara: Heidelberg Road

We are writing to you because you made a submission to the draft Yarra Planning Scheme Amendment C273yara (the Amendment) which relates to the implementation of permanent built form and design controls for Heidelberg Road.

The Minister for Planning (the Minister) has determined to refer submissions related to the Amendment to the Yarra Activity Centres Standing Advisory Committee (the Committee). A referral letter from the Minister dated 2 July 2024 is attached.

The former Minister for Planning appointed the Committee on 10 June 2021 pursuant to section 151 of the *Planning and Environment Act 1987* to provide advice on referred matters. More information about the Committee's purpose and process can be [found here](#).

Committee members Lisa Kendal (Chair) and John Roney have been nominated to consider this matter.

This letter:

- tells you about the Committee process
- tells you what you need to do if you want to participate in the Committee process
- explains how we will use the information we collect
- sets out proposed key dates for the Hearing.

The Amendment

The Amendment proposes to apply the Design and Development Overlay (DDO18) to commercial land along Heidelberg Road on a permanent basis, apply the Heritage Overlay to two places and make other associated changes to the Yarra Planning Scheme.

A more detailed explanation of what the Amendment proposes can be found on the [City of Yarra website](#).

Council is the Planning Authority for the Amendment.

The Committee process

The Committee process includes a Directions Hearing and a main Hearing.

The Committee will:

- consider submitters in an independent forum
- be informal and not like a court
- give fair, unbiased advice to Council and the Minister for Planning about the Amendment.

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Transport and Planning, PO Box 500, East Melbourne, Victoria 8002



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Directions Hearing

At the Directions Hearing, the Panel will:

- give directions about exchanging information before the Hearing and the conduct of the Hearing
- consider Hearing times and venue and site inspections
- answer questions people have about the Panel process including the Hearing.

You should attend the Directions Hearing if you:

- are new to the Committee process and/or wish to participate in the Hearing
- have questions about the Committee process or wish to raise procedural issues.

The Directions Hearing will be held in person with the option to attend online. The Directions Hearing will be held at:

10am, Monday, 12 August 2024
Hearing Room 1, Planning Panels Victoria
Ground floor, 1 Spring Street, Melbourne

Alternatively you can join online by video using MS Teams or dial in (audio only):

[Click here to join the Teams meeting](#)

Meeting ID: 430 109 233 26

Passcode: 3sdYrh

Dial in (audio only): Call (03) 9070 4463 and enter phone conference ID 943 909 888#

The Committee proposes to issue directions after considering all requests to be heard and any additional matters raised at the Directions Hearing or in writing before the Directions Hearing.

Main Hearing

The purpose of the main Hearing is for people to speak to their written submission and to hear from Council. The Hearing will start in the week **of Monday 14 October 2024** and may run for up to 10 days, however this depends on how many submitters request to be heard.

The Committee will consider all referred written submissions when preparing its report, including those from submitters who do not attend the Hearing.

Key dates

The Key Information attached to this letter includes a list of key dates for filing information in the leadup to the Hearing. If you wish to comment on the key dates or any other matters but are unable to attend the Directions Hearing, you can provide comments in writing to planning.panels@transport.vic.gov.au by **Tuesday, 6 August 2024**.

The process is public

The Hearing is public and will be open for anyone to observe.

Submissions and other information presented throughout the Committee's process, including the Hearing, will be treated as public documents. Please carefully read the attached *Privacy Collection Notice*.

If you wish to be involved in the Hearing

Please complete the [online request to be heard form](#) by **12 noon on Tuesday 6 August 2024** if:

- you wish to be involved in the Hearing
- you do not wish to speak but would like a copy of the timetable and directions.

Notes on completing the online request to be heard form are attached.

If you propose to call expert witnesses, you must provide details of all expert witnesses on the request to be heard form – this includes their name, organisation, and field of expertise. It is important the Committee receives this information on time as it assists in planning the draft timetable for the Hearing before the Directions Hearing.

Further Information

The attached *Privacy Collection Notice* explains how your submission will be used by the Committee.

Further information including the *What is a Panel?* guide, *Guide to the Public Hearing* and *Frequently Asked Questions* are available at:

www.planningpanels.vic.gov.au/guides-and-resources

If you need a paper copy of these documents or if you have any other questions, please contact [REDACTED]

[REDACTED] Planning Panels Victoria on [REDACTED]

planning.panels@transport.vic.gov.au

Yours sincerely



LISA KENDAL
Committee Chair

Completing the Request to be Heard Form

Yarra Planning Scheme Amendment C273yara: Heidelberg Road

When completing the online [request to be heard](#) form, please note the following details.

When will the Hearing be held?

The expected hearing dates are between 14/10/2024 and 1/11/2024.

What if I have availability issues during the expected hearing dates?

You can tell us when you are not available.

The Committee will accommodate your availability where possible.

Time required to present your submission

You will be allocated 10 minutes for your submission if this field is left blank.

Expert witness details

An expert witness gives evidence in a field of expertise and must prepare a report.

If you propose to call expert witnesses, you must:

- provide details of all expert witnesses on the request to be heard form – this includes their name, organisation, and field of expertise
- file expert witness reports at the time directed by the Committee before the Hearing.

Please note that it is critical the Committee receives information about your expert witnesses before the Directions Hearing to assist in planning the draft timetable for the Hearing.

Participants in the Hearing can generally cross-examine expert witnesses.

What happens after I complete the form?

If you complete the request to be heard form, a letter with directions and a timetable for the Hearing will be emailed to you after the Directions Hearing. Your name and email address will be added to the Distribution List for filing information, including reports and submissions for the Hearing unless you tell us otherwise.

What if I do not have an email address?

Please contact Planning Panels Victoria on (03) 5381 9457 as soon as possible if you need a form mailed to you. A paper copy of documents such as the timetable will be mailed to submitters who provide a postal address.

How will my contact information be used?

We will use your contact address to contact you. We will provide your email or postal address to participants in the Hearing so that they can share reports and submissions unless you tell us otherwise.

Access requirements

Please contact PPV with any access requirements. Some hearings are held at PPV, some are held at other locations (for example, local Council offices) and some are held online. PPV Hearing Rooms are equipped with a hearing loop, and a laptop and projector if required. If the Hearing is held at another location, we may need to ensure access requirements can be met.

Preliminary list of issues

The Council officer report of 12 December 2023 identified the following key issues raised in submissions:

- accommodating growth
- building heights
- building setbacks and separation
- impacts on residential amenity (including rear interfaces)
- heritage
- traffic, access to properties, public transport and parking
- mandatory controls
- drafting of the Design and Development Overlay
- issues relating to key development sites
- other issues including land use and zoning, climate change, property values and views.

Summary of dates

The following dates are proposed:

Time	Date	Actions for filing and other matters
12 noon	Thursday, 29 August 2024	Council must provide a submitter location map to the Committee only
12 noon	Thursday, 3 October 2024	Council must provide Part A (background and context) submission
12 noon	Monday, 30 September 2024	Council must provide expert witness report(s)
12 noon	Thursday, 3 October 2024	Other parties calling evidence must provide expert witness report(s)
12 noon	Wednesday, 9 October 2024	Statement(s) of agreed opinions and facts from experts (if required)
12 noon	Friday, 11 October 2024	Council must provide 'Day 1' version of the Amendment documentation
12 noon	Friday, 11 October 2024	Documents or material to be presented on Day 1 of the Hearing must be provided, including Council's Part B submission
10 am	Monday, 14 October 2024	Hearing commences
12 noon	5 business days after the hearing concludes	Comments on final drafting must be provided

Planning Panels Victoria Privacy Notice

Your personal information will be collected during this Committee process for the purpose of documenting your views about the Amendment, advising Yarra City Council and the Minister for Planning about the Amendment, and communicating with you throughout the Committee process.

While the Committee process is underway

Natural justice for all participants and transparency are important parts of the Committee process. The Committee will conduct any Hearing it holds in public and will keep a public record of the material provided to it. Planning Panels Victoria (PPV) may:

- provide a copy of your material with all contact details to Yarra City Council, government agencies and other parties to the Hearing
- provide a copy of your material to any other person who requests it (your personal information will be removed first)
- provide a copy of your material to the Department of Transport and Planning (DTP) if needed for preparing Ministerial briefings
- publicly display a copy of your material in the PPV Office or Hearing room
- direct that a copy of your material be publicly displayed in the relevant local council office or DTP regional office.

Hearings

The Committee may conduct a Hearing, either in person or using video conferencing. Hearings by video conference have special privacy requirements. If you choose to participate in the Hearing, you should be aware:

- a link to the Hearing will be published on the internet, and third parties will be able to join the Hearing and observe
- the Committee may broadcast the Hearing live on the internet.

The Committee may make a recording of the Hearing and may provide a copy of any recording to any person who requests it. Where Hearings are recorded, generally audio only is recorded (not video).

The Committee can hear submissions or accept material on a confidential basis, provided this would be fair to the other parties to the Hearing. If you want to make your submissions or provide material to the Committee confidentially, you will need to ask permission from the Committee Chair and provide reasons why the Committee should treat your submissions or material confidentially.

The Committee report

The Committee's report will include a list of the names of submitters and a list of the names of the parties to the Hearing. It may include direct quotes from submitters. The report may be published on the internet after it has been provided to Yarra City Council and the Minister for Planning.

After the Committee has reported

When the Committee has reported, your material will be removed from public display.

Requesting copies

If you would like a copy of any submissions or material collected by the Committee, or a copy of any recording the Committee makes of the Hearing, make a request to PPV by email at planning.panels@transport.vic.gov.au before the Committee submits its report. If the Committee has reported, you should submit your request to the DTP Freedom of Information and Privacy Unit at foi.unit@transport.vic.gov.au.

If you have any concerns about how your submission will be used, please contact Planning Panels Victoria on (03) 8572 7999.